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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,190	08/27/2003	Yusuke Yasukawa	1080.1128	3483

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EXAMINER

PATEL, HEMANT SHANTILAL

ART UNIT PAPER NUMBER

2645

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/648,190	YASUKAWA ET AL.	
	Examiner	Art Unit	
	Hemant Patel	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6 is/are rejected.
- 7) ☒ Claim(s) 4,5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/27/2003 AND 1/7/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawakita (International Publication No. WO 99/67067).

Regarding claim 1, Kawakita discloses a robot including a moving mechanism for causing the robot to move freely, comprising:

a communication section (Fig. 2, item 25) which wirelessly (paragraph 0076, cordless telephone, paragraph 0211, mobile phone) connects to a communication line;

a detection section (Fig. 2, item 20, controller) which detects a request provided by a user (paragraph 0078);

a storing section (Fig. 2, item 20, paragraph 0043, memory in controller) which stores a message (paragraph 0221, response message) and a telephone number (paragraph 0149, previously registered family or hospital); and

a telephone control section (Fig. 2, item 20, controller) which causes the communication section (Fig. 2, item 25) to dial the telephone number stored in the storing section (paragraph 0149, previously registered family or hospital) in response to the detection section detecting the request (paragraph 0149, detection of absence of reaction) provided by the user, and then delivers the message stored in the storing

section (paragraph 0221, response message) as a voice message to a receiver when the receiver responds.

Regarding claim 3, Kawakita discloses a robot, further comprising a microphone (Fig. 1, item 10) and a speaker (Fig. 1, item 11), and wherein the telephone control section causes, after delivering the message to the receiver (Paragraphs 0079 – 0082, transmitting sound and images), the communication section to be in a state of communication using the microphone and the speaker (Paragraphs 0084, staying in video telephone conversation).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawakita as applied to claim 1 above, and further in view of Klein (US Patent No. 6,064,303).

Regarding claim 2, Kawakita teaches of a robot, wherein the storing section stores a plurality of telephone numbers (paragraph 0149, hospital and family) and the detection section detects a plurality of modes of requests (paragraph 0078, keypad input detection, paragraph 0097, handshake pressure detection).

Kawakita does not teach of a plurality of messages respectively associated with the plurality of telephone numbers and the telephone control section dialing a telephone

number according to a mode of request detected by the detection section, and delivering a message associated with the dialed telephone number.

However, in the same field of endeavor, Klein teaches of a system with a plurality of messages associated with a plurality of telephone numbers (Fig. 6, item 604, telephone #) and dialing a telephone number according to a mode of request (Fig. 6, item 602, diagnosis) detected and delivering a message associated with dialed telephone number (Fig. 6, item 606, message).

It would have been obvious to a person of ordinary skill in the art to modify a robot as taught by Kawakita to include a plurality of telephone numbers with respective plurality of messages as taught by Klein in order to deliver a message specific to a detected event to a responsible called party.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawakita as applied to claim 1 above, and further in view of Kataoka (US Patent Application Publication No. 2002/0181723 A1).

Regarding claim 6, Kawakita teaches of a robot, further comprising:

a microphone (Fig. 1, item 10); and
a movement control section (Fig. 2, item 20).

Kawakita does not teach of a voice recognition section which recognizes that the robot is called based on a voice received by the microphone; and also does not teach of a movement control section which controls, when the voice recognition section recognizes that the robot is called, the moving mechanism so as to move the robot closer to a speaker who is calling the robot.

However, in the same field of endeavor, Kataoka teaches of a means for controlling a robot to move naturally upon its motion in voice recognition (paragraph 0017).

It would have been obvious to a person of ordinary skill in the art to modify a robot as taught by Kawakita to include a means of voice recognition as taught by Klein in order to move the robot closer to the speaker who is calling the robot.

Allowable Subject Matter

6. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4, further specifies a system with an e-mail transmission function, storing an e-mail address and a message associated with the e-mail, and transmitting a message associated with e-mail according to a mode of detected request.

The closest prior art of record is Kawakita as applied above, which teaches of a robot, wherein the detection section (Fig. 2, item 20, controller) detects a plurality of modes of requests (paragraph 0078, keypad input detection, paragraph 0149, detection of absence of reaction) and telephone control section (Fig. 2, item 20, thru communication unit) transmits information (paragraph 0149, trouble message).

Kawakita fails to disclose the specific feature of storing an e-mail address with associated message and transmitting a corresponding message to an e-mail address.

The remaining prior art of record fails to teach or fairly suggest substantially modifying Kawakita with this specific feature in order to arrive at the invention claimed in detail by the applicant.

Claim 5, further directs to a function of dialing a telephone number based on the mode of request and also sending a message to an e-mail address if no response is received to this telephone call.

The closest prior art of record is Kawakita as applied above, which teaches of a robot, wherein the telephone control section (Fig. 2, item 20, thru communication unit) dials a telephone number based on the mode of request (paragraph 0078, keypad input detection, paragraph 0149, detection of absence of reaction).

Kawakita fails to disclose the specific feature of transmitting a message to an e-mail address.

The remaining prior art of record fails to teach or fairly suggest substantially modifying Kawakita with this specific feature in order to arrive at the invention claimed in detail by the applicant.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On

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July 15, 2005, the FAX Number will change to **571-273-8300**. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

After September 15, 2005, the old number will no longer be in service.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant Patel
Examiner
Art Unit 2645

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER *for*
Fan Tsang.

HSP